

CHAPTER 38  
SEX OFFENDER MANAGEMENT AND TREATMENT

**201—38.1(692A,903B) Application of rules.** The following rules apply to sex offender registration and hormonal intervention therapy.

**201—38.2(692A,903B) Definitions.**

*“Hormonal intervention therapy”* means a comprehensive treatment program inclusive of education, counseling, and pharmaceutical applications to control sexual deviant behavior.

*“Offender”* means a person who is required to register with the Iowa sex offender registry.

*“Serious sex offense”* means a criminal offense as defined in Iowa Code section 903B.1(4).

**201—38.3(692A) Sex offender registry information.**

**38.3(1) Public notification.** Affirmative public notification procedures are published in department of public safety rules, 661—Chapter 8.

**38.3(2) Records maintenance.**

*a.* Original sex offender registration documents will be sent to the department of public safety sex offender registry program.

*b.* Copies of the sex offender registration documents shall be permanently maintained in the offender master file maintained by the responsible agency.

**38.3(3) Additional rules.** Department of public safety rules regarding the Iowa sex offender registry are published in Division III of 661—Chapter 8.

**201—38.4(903B) Hormonal intervention therapy.**

**38.4(1) Affected offenders.** All offenders convicted of a “serious sex offense” in which the victim was a child who, at the time the offense was committed, was 12 years of age or younger; or offenders convicted of a second or subsequent offense may be required to undergo hormonal intervention therapy as ordered by the court or board of parole in accordance with the provisions of 1998 Iowa Acts, Senate File 2398, section 21.

**38.4(2) Agency responsibility.** The department of corrections, judicial districts’ departments of correctional services, and the board of parole responsibilities are defined in 1998 Iowa Acts, Senate File 2398, section 21.

**38.4(3) Assessment of affected offenders.**

*a. Psychosexual assessment.* A psychosexual assessment shall be conducted on all “affected” offenders, as a part of the presentence investigation (PSI) prior to sentencing or upon entry into judicial district department of correctional services supervision or institutional placement.

(1) The psychosexual assessment shall be conducted by or under the direction of:

- A licensed psychologist; or
- A person specifically trained and experienced in the professional administration, scoring and interpretation of psychological tests (graduate level coursework in testing and assessment); or
- A staff member that meets the experience and educational requirements of the Iowa department of personnel or Iowa community-based corrections psychologist classification.

(2) The psychosexual assessment shall include:

- Tests of emotional and mental stability.
- I.Q. to measure capability.
- Measure of denial of deviant sexual characteristics.
- Polygraphy by July 1, 1999.
- Plethysmography (optional).

(3) The assessment shall follow the department of corrections standardized format and shall include a determination as to the need and effectiveness of hormonal intervention therapy as well as treatment recommendations.

*b. Medical assessment.* If hormonal intervention therapy is recommended as an appropriate treatment component, the offender shall receive a medical assessment to determine biological factors as related to hormonal intervention therapy.

**38.4(4) *Pharmaceuticals and distribution.*** The director of corrections may contract the purchase and distribution process to reduce pharmaceutical costs and ensure effective distribution and management of all pharmaceuticals related to the hormonal therapy program.

**38.4(5) *Educational/treatment programming.***

*a.* Hormonal intervention therapy is to be utilized in conjunction with a sex offender educational/treatment program (SOTP). The offender should be involved in concurrent cognitive-behavioral treatment. In all cases where the treatment plan includes hormonal therapy, the plan shall also include monitoring and counseling.

*b.* All institutional or community-based corrections SOTP programs shall meet Iowa board for the treatment of sexual abusers (IBTSA) standards by July 1, 1999.

**38.4(6) *Application of hormonal therapy.***

*a. Utilization of hormonal therapy.*

(1) Therapy shall utilize medroxyprogesterone acetate (MPA) or other approved pharmaceutical agents.

(2) Therapy shall be initiated as soon as reasonably possible after the offender is sentenced.

1. If the offender is incarcerated within a local jurisdiction (jail, residential facility), the judicial district department of correctional services shall coordinate initiation of treatment prior to the release of the offender from custody.

2. If the offender is incarcerated within the department of corrections, initiation of treatment shall be determined by department of corrections medical staff.

(3) Requests for hormonal therapy by the offender when the aforementioned criteria are not met shall be reviewed for consideration by the agency of jurisdiction.

(4) At any time during the course of supervision, the agency of jurisdiction may conduct a reassessment to determine if hormonal therapy should be considered or reconsidered as part of the treatment plan.

*b. Monitoring/termination of hormonal therapy.*

(1) Monitoring. The agency of jurisdiction shall continue to monitor the offender's therapy throughout the offender's confinement or supervision. The agency of jurisdiction may adjust medication, initiate other medication, or continue prescribed therapy with medical approval.

(2) Termination. Hormonal therapy may be discontinued only by the medical authority, with consent of the supervising officer. Termination requires a reassessment conclusion that the therapy has been determined ineffective or is no longer necessary.

**38.4(7) *Offender fees.*** Offenders are required to pay a reasonable fee for the costs related to hormonal therapy. Offender fees shall be based on the offender's ability to pay as determined by the supervising office.

**38.4(8) *Maintenance/transfer of records.*** Offender file information shall be available and shared upon request between responsible agencies including court of jurisdiction.

These rules are intended to implement Iowa Code chapter 692A.

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## CHAPTER 39

Reserved